

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

TEVA NEUROSCIENCE, INC., et al.,

Plaintiffs,

v.

WATSON LABORATORIES, INC., et al.,

Defendants.

Civil Action No.: 10-5078 (JLL)

ORDER

LINARES, District Judge.

This matter comes before the Court by way of Plaintiffs' motion to dismiss the Mylan Defendants third and sixth counterclaims pursuant to Federal Rule of Civil Procedure 12(b)(6) and to strike their fifth affirmative defense pursuant to Federal Rule of Civil Procedure 12(f) [Docket Entry No. 64], and, for the reasons stated in the Court's corresponding Opinion dated February 22, 2011,


IT IS on this 22nd day of February, 2011,

ORDERED that Plaintiffs' motion is **granted**; and it is further

ORDERED that the Mylan Defendants have thirty (30) days from the date of entry of this Order in which to file an amended pleading which cures the deficiencies addressed in the Court's Opinion. Failure to do so will result in dismissal of the third and sixth counterclaims with prejudice.

IT IS SO ORDERED.

Date: February 22, 2011


JOSE L. LINARES,
UNITED STATES DISTRICT JUDGE